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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,181	06/18/2001	Hvo-Sheng Wang	WANG3019/EM/6898	8006
23364	7590	11/04/2004	EXAMINER	
BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314			AL AUBAIDI, RASHA S	
			ART UNIT	PAPER NUMBER
			2642	

DATE MAILED: 11/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/882,181

Applicant(s)

WANG, HVO-SHENG

Examiner

Rasha S AL-Aubaidi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meyers et al (US PAT # 5,883,690).

Regarding claim 1, Meyers teaches a joystick device (reads on the joystick adapter 20, see col. 3, line 53, col. 4, line 3, and Fig. 2) comprising: an upper fastening member (shell 50 as shown in Fig. 3, see also, col. 5, lines 18-23) of the size being clung to the controller 14 (see col. 5, lines 22-31, see also Fig. 3) and including a first central aperture (hub opening 52 in Fig. 3) and a plurality of openings around the aperture (this basically reads on the openings showing on shell 50 in Fig. 3, see col. 4, lines 39-44, and Fig. 12 for more clarification) ; an abutment member (reads on contact body 40, see Fig. 3, Fig. 8, and col. 4, lines 64-66) between said upper fastening member (50) and said keypad (key bad 12 of the controller in Fig. 2) and including a second central aperture (this reads on the attachment hub 45 in Fig. 3, also see relations between Fig. 7 and Fig. 8), a plurality of projections around said central aperture thereof each being received in said opening but leaving a gap therebetween for providing an operating

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allowance (this is obvious in order to leave a space for movement, see projection in Fig. 12, only one is shown), and a plurality of bottom studs each corresponding to one of said projections button stud (the reference provides different kind of mechanism causing the actual button to be pressed, see col. 7, lines 14-17 and Fig.11a-b. Therefore having a button stud would have been obvious. The joystick having a lower portion (reads on the press shaft member 32, see Fig. 3 and col. 4, lines 29-32) passed through said first central aperture (hub opening 52) and firmly fixed to said second central aperture (attachment hub 45 in fig. 3) of abutment member; whereby said joystick is operative to move to one of up, down, left, and right directions for causing one of said studs to contact a direction key on keypad while playing due to said allowance. In brief, the joystick adapter is used to make the use of the directional keypad on the controller easier and faster. This is the same purpose and advantage as the claimed invention.

Meyers does not specifically teach a joystick device for cellular phone.

However, it teaches the joystick adapter is mounted on a video game controller.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have such a joystick device added to any similar device with a directional keypad such as cellular phone for example in order to provide speed and convenience to the users. The directional keypad of

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the controller and the directional keypad of the cellular phone are both used for playing games. A joystick is more practical than a directional keypad.

Regarding claims 2-3, the claimed limitation upper fastening member (shell 50) further comprises two ridged members on both outer sides reads on tab 56, see col. 5, lines 32-36 and Fig. 3). The claims further recite a mating lower fastening member including two latches on both inner sides inserted into said ridged members for securing said upper and said lower fastening members and cellular phone together. The joystick adapter of Meyers would have to be fastened on the device it is controlling such as the controller, telephone or even a keyboard. Since Meyers teaches a clip mechanism as disclosed in the abstract, it is obvious to use different kind of fastening mechanisms such as the two ridged claimed in the present invention.

Regarding claim 4, Meyers teaches the joystick (20) further comprises a top handle (controller stick 22, see col. 4, lines 14-20 and Fig. 3).

### ***Claim Rejections - 35 USC § 103***

3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meyers in view of Snyder (US PAT # 6,389,268).

Meyer's features are addressed in the above rejection.

Meyers does not specifically teach the joystick device comprising a frame having a fitted magnifying glass extended from one side of said upper fastening

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member to cover a display of said cellular phone for increasing an apparent size thereof.

However, Snyder teaches an apparatus (50) that includes a cradle (52) configured to receive a telephone (12) therein and a bendable arm 54 that ends with an optical element 56, see Fig. 4 (also col. 3, lines 47-67 and col. 4, lines 1-5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of a bendable arm that ends with an optical element, as taught by Snyder, into the Meyers system in order to achieve a better view and enhance the vision of the user while operating/using the device (cell phone for example).

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (703) 605-5145. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F Matar, can be reached on 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information


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for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner

Rasha S. Al-Aubaidi

10/27/2004

  
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